

Customs Bulletin

Regulations, Rulings, Decisions, and Notices
concerning Customs and related matters



and Decisions

of the United States Court of Customs and
Patent Appeals and the United States
Customs Court

Vol. 14

JANUARY 23, 1980

No. 4

This issue contains

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General Notice

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International Trade Commission Notice

THE DEPARTMENT OF THE TREASURY
U.S. Customs Service

NOTICE

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U.S. Customs Service

Treasury Decisions

(T.D. 80-14)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

Rates of exchange based on rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Brazil cruzeiro, People's Republic of China yuan, Hong Kong dollar, Iran rial, Philippines peso, Singapore dollar, Thailand baht (tical) and Venezuela bolivar

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to part 159, subpart C, Customs Regulations (19 CFR 159, subpart C).

Brazil cruzeiro:

December 10-14, 1979..... \$0.0235

People's Republic of China yuan:

December 10, 1979..... \$0.656728

December 11, 1979..... .660022

December 12-14, 1979..... .663350

Hong Kong dollar:

December 10, 1979..... \$0.201329

December 11, 1979..... .201613

December 12, 1979..... .201410

December 13, 1979..... .201471

December 14, 1979..... .202000

Iran rial:

December 10-14, 1979..... Not
available

Philippines peso:

December 10-14, 1979..... \$0.1350

Singapore dollar:

December 10, 1979..... \$0.459770

December 11, 1979	.....	.460829
December 12, 1979	.....	.460617
December 13, 1979	.....	.461681
December 14, 1979	.....	.462535
Thailand baht (tical):		
December 10-14, 1979	.....	\$0.0495
Venezuela bolivar:		
December 10-14, 1979	.....	\$0.2329
(LIQ-3-TRODE)		
Dated: December 27, 1979.		

WILLIAM J. WAGNER III
(For G. Scott Shreve, Acting
Director, Duty Assessment Division).

(T.D. 80-15)

Foreign Currencies—Variances From Quarterly Rate

Rates of exchange based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in T.D. 79-264 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates:

Denmark krone:

December 10, 1979	.....	\$0.184502
December 11, 1979	.....	.185529
December 12, 1979	.....	.185426
December 13, 1979	.....	.186289
December 14, 1979	.....	.185563

Japan yen:

December 12, 1979	.....	\$0.004203
December 13, 1979	.....	.004155
December 14, 1979	.....	.004123

(LIQ-3-TRODE)

Dated: December 27, 1979.

WILLIAM J. WAGNER III
(For G. Scott Shreve, Acting
Director, Duty Assessment Division).

(T.D. 80-16)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

Rates of exchange based on rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Brazil cruziero, People's Republic of China yuan, Hong Kong dollar, Iran rial, Philippines peso, Singapore dollar, Thailand baht (tical) and Venezuela bolivar

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to part 159, subpart C, Customs Regulations (19 CFR 159, subpart C).

Brazil cruziero:

December 17-21, 1979 \$0. 0235

People's Republic of China yuan:

December 17-21, 1979 \$0. 663350

Hong Kong dollar:

December 17, 1979 \$0. 202429

December 18, 1979203874

December 19, 1979204248

December 20, 1979203957

December 21, 1979203666

Iran rial:

December 17-21, 1979 Not
available

Philippines peso:

December 17-21, 1979 \$0. 1350

Singapore dollar:

December 17, 1979 \$0. 459559

December 18, 1979458295

December 19, 1979460193

December 20, 1979460405

December 21, 1979460299

Thailand baht (tical):

December 17-21, 1979 \$0. 0495

Venezuela bolivar:

December 17-21, 1979 \$0. 2329

(LIQ-3-TRODE)

Dated: January 2, 1980.

H. C. JEESE

(For G. Scott Shreve, Acting
Director, Duty Assessment Division).

(T.D. 80-17)

Foreign Currencies—Variances From Quarterly Rate

Rates of exchange based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in T.D. 79-264 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates:

Denmark krone:

December 17, 1979	-----	\$0. 185822
December 18, 1979	-----	. 186324
December 19, 1979	-----	(*)
December 20, 1979	-----	. 185822
December 21, 1979	-----	. 185787

Japan yen:

December 17, 1979	-----	\$0. 004165
December 18, 1979	-----	. 004177
December 19, 1979	-----	. 004184
December 20, 1979	-----	(*)
December 21, 1979	-----	. 004168

* Rate did not vary this date. Use quarterly rate.

(LIQ-3-TRODE)

Dated: January 2, 1980.

H. C. JEESE

(For G. Scott Shreve, Acting
Director, Duty Assessment Division).

(T.D. 80-18)

TITLE 1—U.S. CUSTOMS DUTIES

CHAPTER 1—U.S. CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

PART 153—ANTIDUMPING

Potassium Chloride, Otherwise Known as Muriate of Potash, From
Canada

Antidumping: Notice of modification or revocation of dumping finding

AGENCY: U.S. Treasury Department.

ACTION: Modification of dumping finding.

SUMMARY: This notice is to inform the public that the Potash Corp. of Saskatchewan (PCS) has provided assurances that it will not sell potassium chloride below fair value within the meaning of the Antidumping Act, 1921, as amended. Since PCS has acquired assets from several Canadian companies which produce potassium chloride, but which were previously excluded from the dumping finding, notice is hereby given of the modification of the finding to exclude PCS. As a result of this action, potassium chloride from PCS entered, or withdrawn from warehouse, for consumption will not be liable for dumping duties.

EFFECTIVE DATE: (Date of publication in the Federal Register.)

FOR FURTHER INFORMATION CONTACT: Office of the Assistant Secretary for Trade Administration, Robert Robeson, Office of Policy, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230; telephone 202-566-2323.

SUPPLEMENTARY INFORMATION: On December 19, 1969, a finding of dumping with respect to potassium chloride from Canada, T.D. 69-265, was published in the Federal Register (34 F.R. 19904). Excluded from the finding at that time was the U.S. Borax & Chemical Co., Kalium, Saskatchewan. Subsequently, certain other Canadian producers or exporters have also been excluded from the finding. These firms are: Potash Co. of Canada; Hudson Bay Mining & Smelting Co., Ltd.; Swift Co., Ltd; Amax Potash, Ltd; and Duval Corp. of Canada. Those exclusions were based upon determinations that these companies were not selling, nor were likely to sell, potassium chloride at less than fair value within the meaning of the Antidumping Act of 1921, as amended (19 U.S.C. 160 et seq.) (the act).

The Potash Corp. of Saskatchewan, which previously was not engaged in the production or sale of potassium chloride, has acquired assets in the firms listed above. The Department has concluded that where a foreign manufacturer, producer or exporter not previously engaged in the manufacture, production or sale of merchandise subject to a finding of dumping, acquires assets in one or more firms excluded from that finding, such manufacturer, producer, or exporter shall become eligible for exclusion from the finding upon receipt of assurances that no future sales to the United States will be made at less than fair value within the meaning of the act. Such assurances have been received from PCS.

Because of the unusual circumstances of this case, it is appropriate to modify this finding pursuant to section 153.44(e), Customs Regulations (19 CFR 153.44(e)). Under this provision, the Secretary may modify or revoke a dumping finding without publishing the "Notice

of Tentative Determination to Modify or Revoke Dumping Finding" required pursuant to section 153.44(c), Customs Regulations (19 CFR 153.44(c)).

For the reasons stated above, I hereby determine that potassium chloride, otherwise known as muriate of potash from Canada, produced and sold by Potash Corp. of Saskatchewan is not being, nor is likely to be, sold at less than fair value within the meaning of the act.

Accordingly, section 153.46, Customs Regulations (19 CFR 153.46), is amended to exclude potassium chloride, otherwise known as muriate of potash, from Canada, produced and sold by Potash Corp. of Saskatchewan, from T.D. 69-265, as modified by T.D. 74-157 and T.D. 76-219. The current entry for potassium chloride, otherwise known as muriate of potash, from Canada should be deleted and replaced by the following entry:

Merchandise	Country	T.D.	Modified by
Potassium chloride, otherwise known as muriate of potash, except that produced and sold by U.S. Borax Chemical Co., Kallium, Saskatchewan, Canada; Kallium Chemicals, Ltd., Regina, Saskatchewan, Canada; Potash Co. of Canada, Ltd., Lanigan, Saskatchewan, Canada; Potash Co. of America, Saskatoon, Saskatchewan, Canada; International Minerals and Chemical Corp., Libertyville, Ill., U.S.A.; and CF Industries, Inc., Chicago, Ill., U.S.A.; Brockville Chemical Industries, Ltd., Montreal, Quebec, Canada; Hudson Bay Mining & Smelting Co., Ltd., Toronto, Ontario, Canada; Swift Canadian Co., Ltd., Etobicoke, Ontario, Canada; and Cominco, Ltd., Vancouver, British Columbia, Canada; Potash Corporation of Saskatchewan.	Canada.....	69-265	74-157 76-219 80-16

(Secs. 201, 407; 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.)

This notice is published pursuant to section 153.44(c), Customs Regulations (19 C.F.R. 153.44(c)).

JORDON LUKE,
Acting General Counsel of the Treasury.

[Published in the Federal Register Jan. 7, 1980 (44 F.R. 1417)]

(T.D. 80-19)

Synopses of Drawback Decisions

The following are synopses of drawback rates issued April 23, 1979, and May 4, 1979, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

In the synopses below are listed, for each drawback rate approved under section 1313(g), the name of the company, the specified articles

on which drawback is authorized, the merchandise which will be used to manufacture or produce these articles, the factories where the work will be accomplished, the date the statement was signed, the basis for determining payment, the Regional Commissioner to whom the rate was forwarded, and the date on which it was forwarded.

Dated: December 19, 1979.

HARVEY B. FOX,
(For Donald W. Lewis, Director,
Office of Regulations and Rulings).

(A) Company: Ayres Corp.

Aircraft: Agricultural aircraft.

Merchandise: Pratt & Whitney turbo engines, Pezetel radial engines,
and Dowty Rotol propellers.

Factory: Albany, Ga.

Statement signed: February 7, 1979.

Basis of claim: Appearing in.

Rate forwarded to Regional Commissioner of Customs: Miami,
May 4, 1979.

(B) Company: Bender Welding & Machine Co., Inc.

Vessels: Seiner-type fishing vessels.

Merchandise: Ice elevators, Simrad sonar scopes, Simrad sonars.

Shipyard: Mobile, Ala.

Statement signed: March 14, 1979.

Basis of claim: Appearing in.

Rate forwarded to Regional Commissioner of Customs: New Orleans,
April 23, 1979.

U.S. Customs Service

General Notice

(19 CFR Parts 6 and 10)

Civil Aircraft Agreement

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Proposed rule.

SUMMARY: Title VI of Public Law 96-39, the "Trade Agreements Act of 1979," implements the tariff changes necessitated by the "Agreement on Trade in Civil Aircraft" negotiated by the United States in the Tokyo Round of Multilateral Trade Negotiations. This document proposes to amend the Customs Regulations to enable Customs to implement the provisions of title VI.

The significant proposed changes to the regulations are:

1. To eliminate duties on civil aircraft and aircraft parts certified for use in civil aircraft which are specially provided for in the Tariff Schedules of the United States and admitted into the United States from a nation entitled to most-favored-nation tariff treatment.
2. To eliminate duties on the cost of repair parts, materials, or expenses of repairs in a foreign country upon a U.S. civil aircraft.

DATE: Comments must be received on or before (60 days after publication in the Federal Register).

ADDRESS: Written comments should be addressed to the Commissioner of Customs, attention: Regulations and Research Division, U.S. Customs Service, 1301 Constitution Avenue NW., room 2335, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT the following individuals at the U.S. Customs Service, Office of Regulations and Rulings, 1301 Constitution Avenue NW., Washington, D.C. 20229: Aircraft repair matters: John A. Mathis, Carriers, Drawback and Bonds Division (202-566-5706); classification matters: L. J. Emmert, Classification and Value Division (202-566-8181); certification matters: Benjamin H. Mahoney, Entry Procedures and Penalties Division (202-566-5765).

SUPPLEMENTARY INFORMATION:

BACKGROUND

Public Law 96-39, the "Trade Agreements Act of 1979," approved July 26, 1979 (the "act"), implements the trade agreements negotiated by the United States in the Tokyo Round of Multilateral Trade Negotiations (MTN).

One agreement, the "Agreement on Trade in Civil Aircraft" (the "agreement"), establishes a framework of rules for duty-free trade in civil aircraft and parts for civil aircraft. Tariff and nontariff measures are covered in the agreement to address problems peculiar to the civil aircraft sector of the aerospace industry. The special focus and broad scope of the agreement distinguishes it from most of the other agreements.

In the area of tariffs, the agreement calls for the elimination of Customs duties and similar charges on, or in connection with, the importation of products, classified for Customs purposes under specific tariff items enumerated in the annex to the agreement if the products are for use in a civil aircraft and incorporated therein, in the course of its manufacture, repair, maintenance, rebuilding, modification, or conversion. The specific tariff items are enumerated in the "Statutory Changes Duty-Free Treatment Under the TSUS" section of this document. The agreement also calls for the elimination of Customs duties and similar charges on repairs to civil aircraft.

Title VI of Public Law 96-39, "Civil Aircraft Agreement," implements those parts of the agreement relating to duty-free treatment by the United States of (1) specified civil aircraft and aircraft parts certified for use in civil aircraft and admitted into the United States from a nation-entitled to most-favored-nation tariff treatment; and (2) the cost of repair parts, materials, or expenses of repair in a foreign country upon a U.S. civil aircraft.

EFFECTIVE DATE

Section 601(a) of title VI provides that when conditions under section 2(b) of the act are fulfilled and the President accepts the agreement for the United States, he may proclaim, after September 30, 1979, the changes provided for under this section. However, the agreement provides for the elimination of applicable Customs duties no later than January 1, 1980. It is anticipated that the January 1, 1980, date will be the effective date for implementing the statutory changes made by title VI.

PRESENT LAW

Aircraft and aircraft parts presently are classifiable under schedule 6, part 6, subpart C, Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202). They are subject to a column 1 (most favored

nation) rate of duty of 5 percent ad valorem. General headnote 10(ij), TSUS (setting forth interpretative rules relating to the tariff schedules), limits the application of item 694.60 to aircraft parts solely or chiefly used as parts of aircraft if those parts are not specifically provided for elsewhere in the TSUS. Numerous aircraft parts are more specifically provided for elsewhere in the TSUS. Certain aircraft and aircraft parts may be admitted duty-free under the Generalized System of Preferences (general headnote 3(c), TSUS) if they are produced in a beneficiary developing country.

STATUTORY CHANGES

DUTY-FREE TREATMENT UNDER THE TSUS

Section 601(a)(1) of the act creates a new headnote 3 under schedule 6, part 6, subpart C, TSUS, defining the term "certified for use in civil aircraft." That term means that the imported article:

1. Has been imported for use in civil aircraft;
2. Will be so used in civil aircraft; and
3. Has been approved by the Federal Aviation Administration, or that an application for approval for such use has been submitted to, and accepted by, that agency, or that such use has been approved by the airworthiness authority in the country of exportation if such authority is recognized by the Federal Aviation Administration. The importer is required to file a written statement to that effect if the article is to be imported duty free.

The new headnote also defines the term "civil aircraft" to mean "all aircraft other than aircraft purchased for use by the Department of Defense or the U.S. Coast Guard."

Section 601(a)(2) sets forth the TSUS item numbers for which duty-free treatment in column 1 of the tariff schedules is accorded those articles "certified for use in civil aircraft." The item numbers listed in title VI of the act are:

518.51	660.97	680.47	685.24	694.40	711.98
544.41	661.10	680.50	685.29	694.60	712.05
642.20	661.12	680.55	685.40	709.45	712.47
647.03	661.15	680.56	685.60	710.08	712.49
647.05	661.20	682.07	685.70	710.14	715.15
652.09	661.35	682.40	686.22	710.16	720.08
653.39	661.90	682.60	686.24	710.30	727.47
653.94	661.95	683.60	686.60	710.46	727.48
660.44	662.50	684.30	688.12	711.36	727.55
660.46	664.10	684.40	688.40	711.37	475.45
660.52	676.15	684.50	694.15	711.82	772.45
660.54	676.30	684.70	694.20	711.84	772.65
660.85	678.50				

The precise coverage of duty-free treatment of these item numbers will be determined by the nature of implementation of the agreement by other signatories. Any change in these item numbers will be effected by the Presidential proclamation to be issued pursuant to section 601(a) of the act. It is understood by the Customs Service that the new item numbers will be:

518.52	660.99	680.61	684.72	694.21	711.81
544.43	661.08	680.65	685.25	694.41	712.00
642.22	661.14	680.75	685.31	694.62	712.06
647.04	661.17	680.78	685.41	709.46	712.48
647.07	661.22	682.08	685.61	710.09	712.52
652.11	661.37	682.42	685.72	710.15	715.16
653.41	661.91	682.46	686.21	710.17	720.09
653.98	661.97	682.61	686.25	710.31	727.49
660.58	662.52	683.62	686.62	710.47	727.51
660.61	664.12	684.26	688.14	711.33	727.56
660.69	676.16	684.31	688.42	711.39	772.46
660.73	676.31	684.42	694.16	711.76	772.67
660.87	678.48	684.51			

APPLICATION OF 19 U.S.C. 1466

Section 601(a)(3) of the act amends section 466, Tariff Act of 1930, as amended (19 U.S.C. 1466), by adding a new subsection (f). This provision eliminates the duty on the cost of repair parts, materials, or expenses of repairs in a foreign country upon a U.S. civil aircraft. However, foreign equipment purchases for use in U.S.-registered civil aircraft will remain dutiable under the amended provisions of 19 U.S.C. 1466.

It is understood by the Customs Service, however, that amendatory legislation has been introduced to provide that equipment purchased for use in U.S.-registered civil aircraft will no longer be dutiable under 19 U.S.C. 1466.

TERMINATION OF DUTY-FREE TREATMENT

Section 601(b) of the act provides that for purposes of section 125 of the Trade Act of 1974, the amendments made under section 601(a), if any, shall be considered to be trade agreement obligations entered into under the Trade Act of 1974 of benefit to foreign countries or instrumentalities. This section permits the President to terminate or withdraw duty-free treatment if he determines that any foreign country has withdrawn, suspended, or modified the application of trade agreement obligations of benefit to the United States without granting adequate compensation.

PROPOSED AMENDMENTS TO THE REGULATIONS

It is proposed to amend parts 6 and 10, Customs Regulations (19 CFR parts 6 and 10), to take into account the statutory changes made by title VI of the act.

PART 6—AIR COMMERCE REGULATIONS

1. Section 6.7(d), Customs Regulations (19 CFR 6.7(d)), would be amended by adding new paragraphs (d)(1) and (d)(2).

Proposed paragraph (d)(1) would provide that duty under 19 U.S.C. 1466 shall not apply to the cost of repair parts, materials, or expenses of repairs in a foreign country upon a U.S. civil aircraft. However, the cost of repair parts or materials or the expenses of repairs in a foreign country, would continue to be subject to entry. (See S. Rpt. No. 96-249, 96th Cong., 1st Sess., p. 188.) Pursuant to T.D. 79-86 (44 F.R. 17250, March 21, 1979), Customs Form 226, "Record of Vessel/Aircraft Foreign Repair or Equipment Purchase," would be used for this purpose in place of Customs Form 7535, "Vessel/Aircraft Foreign Repair or Equipment Purchase Entry."

Proposed paragraph (d)(2) would provide that any equipment purchases in a foreign country would continue to be subject to declaration, entry, and deposit of duty. However, instead of filing a separate declaration on Customs Form 226, a statement may be added to Customs Form 226 when used as the entry that (1) the entry contains a complete account of the equipment purchases and the cost of the equipment, including installation, and (2) application is made for the ascertainment of duty due. A declaration of Customs Form 226, in lieu of Customs Form 3415, "Declaration of Foreign Repairs to Vessels or Aircraft" (see T.D. 79-86), to the effect that no equipment was purchased in a foreign country would not be required.

2. Section 6.7(e) would be amended to provide that a scheduled airline or an air carrier authorized to operate contract passenger or cargo flights and operating between the United States and foreign territory shall not be required (1) to file a declaration or entry on Customs Form 226, (2) to deposit duty or give a bond for equipment purchased for the aircraft, or (3) to file an entry on Customs Form 226 for repair parts or materials purchased for, or for expenses of repairs made to, the aircraft if any one of the four conditions found in present and proposed sections 6.7(e) (1), (2), (3), and (4) is applicable.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE,
ET CETERA

1. Proposed section 10.41(c) would be amended by adding a cross-reference to proposed new section 10.180, relating to civil aircraft and parts for civil aircraft.

2. Part 10 would be amended by adding a new section 10.180, "Civil aircraft and parts for civil aircraft."

Proposed section 10.180(a) would define the term "civil aircraft" to mean all aircraft other than aircraft purchased for use by the Department of Defense or the U.S. Coast Guard.

Proposed section 10.180(b) would provide that civil aircraft may be admitted free of duty if certified for use in accordance with headnote 3 of schedule 6, part 6, subpart C, TSUS, and this section.

Proposed section 10.180(c) would provide that the importer (as defined in section 101.1(k), Customs Regulations (19 CFR 101.1(k)), shall submit a certificate and any additional documentation required by Customs to verify the claim for admission free of duty. Although the legislative history of the act states that the certification shall be filed at the "time of entry," Customs will interpret this to mean at the time of filing the entry summary documentation. (See sections 141.0a(b), 142.12, and 142.13; T.D. 79-221). However, the additional documentation need not be provided if the district director is satisfied that the documents will be available for inspection for 5 years from the "time of entry." (See section 141.68; T.D. 79-221). Proposed section 10.180(c) also would provide that proof of end-use of the aircraft or parts in civil aviation need not be furnished. Furthermore, if the district director determines that the required document is not available at the time of filing the entry summary, the importer may enter the aircraft and aircraft parts at the free rate of duty and post a bond for the missing document. Failure to provide the missing document may result in liquidation of the entry as dutiable and assessment of liquidated damages under the bond.

Section 10.180(d) would set forth the form of certification and require the importer to check the appropriate box(es) under item (1) of the certification that:

(a) The article has been approved for use as or in civil aircraft by the Federal Aviation Administration (FAA).

(b) The article has been approved by the airworthiness authority in the country of exportation and the approval is recognized by the FAA.

(c) An application for approval for use as or in civil aircraft for the article has been submitted to and accepted (i.e., received) by the FAA.

Item (2) of the certification would require the importer to certify that the article has been imported for use as or in civil aircraft and will be so used. The importer would be required to sign and date the certification.

Proposed section 10.180(e) would provide that articles covered under item (2)(c) of the certification shall be admitted conditionally free of duty. Proposed paragraph (e) also would provide the procedure to be

used when these articles have been approved by the FAA so that the entry may be liquidated as duty free or dutiable, depending on the circumstances discussed in section 10.180(e).

Proposed section 10.180(f) would require notification to Customs and the tender of duties if any aircraft or aircraft part admitted under this section is diverted from its intended use as or in civil aircraft, or a decision is made to divert the article from the intended use.

Proposed section 10.180(g) would provide that the district director shall monitor and periodically audit selected entries made under section 10.180.

Proposed section 10.180(h) would state that providing false or fraudulent statements, declarations, or other documentation may result in liability being incurred under 19 U.S.C. 1592.

Proposed section 10.180(i) would refer the reader to sections 6.7 (d) and (e) for provisions relating to the dutiability of equipment, repair parts, or materials, or expenses of repairs in a foreign country, upon a U.S. civil aircraft under the provisions of 19 U.S.C. 1466.

OTHER CHANGES

1. It is proposed to make several stylistic changes in the above-discussed sections for editorial clarity.

2. Section 10.41(b) was deleted by T.D. 70-121 (35 F.R. 8222, May 26, 1970). Therefore, it is proposed to amend the first sentence of section 10.41(d) by deleting the phrase "except as stated in the parenthetical matter in paragraph (b) of the section."

AUTHORITY

These amendments are proposed under the authority of R.S. 251, as amended (19 U.S.C. 66), section 466, 46 Stat. 718, section 624, 46 Stat. 759 (19 U.S.C. 1466, 1624), and section 3(b), 93 Stat. 144 (Public Law 96-39).

COMMENTS

Before adopting this proposal, consideration will be given to any written comments, preferably in triplicate, that are submitted timely to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with section 103.8(b), Customs Regulations (19 CFR 103.8(b)), during regular business hours at the Regulations and Research Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue NW., room 2335, Washington, D.C. 20229.

DRAFTING INFORMATION

The principal authors of this document were John E. Elkins, and Charles D. Ressin, Regulations and Research Division, Office of

Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

PROPOSED AMENDMENTS

It is proposed to amend parts 6 and 10, Customs Regulations (19 CFR parts 6, 10), in the following manner:

PART 6—AIR COMMERCE REGULATIONS

1. It is proposed to amend section 6.7(d) to read as follows:

6.7 Documents for entry.

* * * * *

(d) The provisions of section 466, Tariff Act of 1930, as amended (19 U.S.C. 1466), are applicable to any aircraft of U.S. registry engaged in trade and arriving in the United States, as defined in section 401(h), Tariff Act of 1930, as amended (19 U.S.C. 1401(h)), whether from a contiguous or noncontiguous foreign country, to the extent provided in paragraphs (d)(1) and (d)(2). A notation as to any equipment purchased for or installed on, or repairs made to, any such aircraft in a foreign country shall be made in the aircraft journey logbook, which shall set forth a general description of the equipment or repairs and a statement of any necessity therefor. The aircraft commander or an authorized person, on the first subsequent arrival of the aircraft in the United States, shall exhibit the journey logbook to the Customs officer at the place of arrival.

(1) The duty imposed under section 466(a), Tariff Act of 1930, as amended, shall not apply to the cost of repair parts, materials, or expenses of repairs in a foreign country upon a U.S. civil aircraft, as defined in section 10.180(a) of this chapter. However, the cost of repair parts or materials, or the expenses of repairs, in a foreign country, shall be subject to entry on Customs Form 226, as prescribed by section 4.14 of this chapter, but no declaration shall be required.

(2) Except as specified hereafter in this paragraph and section 6.7(e), any equipment purchases shall be subject to declaration, entry, and deposit of duty, as prescribed by section 4.14 of this chapter. However, instead of filing a separate declaration on Customs Form 226, the following may be added to Customs Form 226 when used as the entry:

This entry contains a complete account of the equipment purchased for the within-mentioned aircraft during the flight covered hereby, together with the cost of such equipment (including the cost of installation of equipment). Application

is hereby made for the ascertainment of the amount of duty due under section 466, Tariff Act of 1930, as amended.

A declaration on Customs Form 226 to the effect that no equipment was purchased in a foreign country shall not be required in any case for any such aircraft.

2. It is proposed to amend section 6.7(e) to read as follows:

(e) A scheduled airline or an air carrier generally authorized to operate contract passenger or cargo flights and operating between the United States and foreign territory shall not be required to file a declaration or an entry on Customs Form 226, or deposit duty, or give a bond, for equipment purchased for the aircraft; or to file an entry on Customs Form 226 for repair parts or materials purchased for, or for expenses of repairs made to, the aircraft, if—

(1) The equipment or repairs were made necessary by reason of stress of weather or other casualty occurring since the aircraft's last departure from the United States; or

(2) The equipment or repairs were necessary to secure the safety and airworthiness of the aircraft, provided the necessity of equipment or repairs was unforeseen before the aircraft's last departure from the United States; or

(3) The equipment or repairs were necessary to comply with regulations of the Federal Aviation Administration or other agency of the United States or of a foreign government, provided the necessity for the equipment or repairs was unforeseen before the aircraft's last departure from the United States; or

(4) The equipment purchased or installed and materials used in making the repairs were manufactured or produced in the United States and the work incident to the installation or repairs was performed by the regular crew of the aircraft or by residents of the United States.

Whenever entry is not required in any of the foregoing circumstances, the following statement shall be included on the general declaration or attached air cargo manifest:

Entry for equipment purchased or installed or repairs made to this aircraft while in a foreign country not required under section 6.7(e) of the Customs Regulations.

In all cases where entry is not required, the district director shall be satisfied from an inspection of the journey log book and such further investigation as he may deem necessary that the facts with respect to the purchase or installation of the equipment and making of repairs were as set forth in paragraph (e) (1), (2), (3), or (4) of this section.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ET CETERA

1. It is proposed to amend section 10.41(c) to read as follows:

10.41 Instruments; exceptions.

* * * * *

(c) Foreign-owned aircraft arriving in the United States shall be subject to the treatment provided for in part 6 of this chapter, unless entered under the provisions of section 10.31, section 10.180, or paragraph (d) of this section.

2. It is proposed to amend part 10 by adding a new section 10.180 to read as follows:

10.180 Civil aircraft and parts for civil aircraft.

(a) *Definition.* "Civil aircraft" when used in this section means all aircraft other than aircraft purchased for use by the Department of Defense or the U.S. Coast Guard.

(b) *Admission free of duty.* Civil aircraft and parts for civil aircraft may be admitted free of duty under the provisions of headnote 3, schedule 6, part 6, subpart C, Tariff Schedules of the United States (19 U.S.C. 1202), if certified for use in accordance with that headnote and the provisions of this section.

(c) *Documentation.* At the time of filing the entry summary, the importer shall submit a certificate in the form described in paragraph (d), together with a copy of the written order, contract, or any additional documentation Customs shall require, to verify the claim for admission free of duty. A copy of the written order or contract, or the additional documentation, need not be provided if the district director is satisfied that the documents will be available for inspection for 5 years from the time of entry, as provided by part 162 of this chapter. "Time of entry" is defined in section 141.68 of this chapter. Proof of end-use of the aircraft or parts need not be furnished. If the district director determines that documentation necessary to verify the claim for entry free of duty is not available at the time of filing the entry summary, the importer may enter the aircraft or aircraft parts and post a bond (see section 113.42 of this chapter) for the missing document in accordance with sections 141.66 and 141.91 of this chapter.

(d) *Certification.* The required certification shall be in the following form:

I CERTIFY THAT:

(1) The article(s) specifically identified in entry summary has (have) been imported for use as or in civil aircraft and, to the best of my knowledge and belief, will be so used.

(2) (Check the appropriate box(es))

☐ (a) The article(s) specifically identified in the entry summary has (have) been approved for use as or in civil aircraft by the Administrator of the Federal Aviation Administration ("FAA"). (Enter approved part number(s) _____ or attach copy of approval letter(s).)

☐ (b) The article(s) specifically identified in the entry summary has (have) been approved by _____, the airworthiness authority in the country of exportation. This approval is recognized by the FAA as an acceptable substitute for FAA approval. (Enter approved part number(s) _____ or attach copy of approval letter(s).)

☐ (c) An application for approval for use as or in civil aircraft for the article(s) specifically identified in the entry summary has been submitted to and accepted (i.e., received) by the Administrator of the FAA.

Importer's Signature and Date

The certification may be stamped, typed, or printed on the entry summary or submitted as a separate document.

(e) *Conditionally free entry.* Articles covered by item 2(c) of the certification set forth in paragraph (d) of this section shall be admitted conditionally free of duty. When the articles have been approved for use as or in civil aircraft by the Administrator of the Federal Aviation Administration, the importer shall submit the approved part number(s) or a copy of the approval letter(s) to the appropriate Customs officer at the port where the entry was made so the entry may be liquidated free of duty. If Customs does not receive the necessary documentation to liquidate the entry free of duty within 1 year of the date of entry, the conditionally free entry shall be liquidated as dutiable. Before expiration of the 1-year period, the importer may request that the period for liquidation be extended, as provided in section 159.12 of this chapter. If the necessary documentation is not received within 1 year or such additional period as may be granted, not to exceed four years from the date of entry or the date of final withdrawal from warehouse, the entry shall be liquidated as dutiable.

(f) *Diversion.* If any aircraft or aircraft part admitted under this section is diverted from its intended use as or in civil aircraft, or a decision is made to divert the article from the intended use, the importer or other person diverting or deciding to divert the article shall give immediate written notice of that diversion or intent to divert to the district director of the district where entry

was made. A tender of duties due because of the diversion or intended diversion shall accompany the notice.

(g) *Verification.* The district director shall monitor and periodically audit selected entries made under this section.

(h) *Penalties.* Providing a false or fraudulent statement, declaration, or other documentation may result in liability being incurred under 19 U.S.C. 1592.

(i) *Cost of equipment, repair parts, or materials, or expenses of repairs in a foreign country.* Provisions relating to the declaration entry, and dutiability of the costs of equipment, repair parts, or materials, or expenses of repairs, in a foreign country upon a U.S. civil aircraft under the provisions of section 466, Tariff Act of 1930, as amended (19 U.S.C. 1466), are set forth in sections 6.7(d) and (e) of this chapter.

WILLIAM T. ARCHEY,
Acting Commissioner of Customs.

Approved: December 31, 1979.

RICHARD J. DAVIS,
Assistant Secretary of Treasury.

[Published in the Federal Register, Jan. 8, 1980 (44 F.R. 1633)]

Recent Unpublished Customs Service Decisions

The following listing of recent administrative decisions issued by the Office of Regulations and Rulings, U.S. Customs Service, and not otherwise published, is published for the information of Customs officers and the importing community. Although the decisions are not of sufficient general interest to warrant publication as Treasury decisions, the listing describes the issues involved and is intended to aid Customs officers and concerned members of the public in identifying matters of interest which recently have been considered by the Office of Regulations and Rulings.

A copy of any decision included in this listing, identified by its date and file number, may be obtained in a form appropriate for public distribution upon written request to the Office of Regulations and Rulings, attention: Legal Reference Area, room 2404, U.S. Customs Service, 1301 Constitution Avenue NW., Washington D.C. 20229. These copies will be made available at a cost to the requester of 10 cents per page. However, the Customs Service will waive this charge if the total number of pages copied is 10 or less.

Decisions listed in earlier issues of the CUSTOMS BULLETIN, through October 24, 1979, are available in microfiche format at a cost of \$15.10 (15 cents per sheet of fiche). It is anticipated that additions to the microfiche will be made quarterly and subscriptions are available. Requests for the microfiche now available and for subscriptions should be directed to the Legal Reference Area. Subscribers will automatically receive updates as they are issued and will be billed accordingly.

Dated: January 2, 1980.

SALVATORE E. CARAMAGNO,
*Acting Director, Office of
Regulations and Rulings.*

Date of decision	File No.	Issue
12-11-79	104168	Carrier control: Whether coastwise law prohibits the use of foreign-flag vessels to transport bunker oil from U.S. ports to vessels moored at or at anchor on the high seas off a deepwater port
12-12-79	104329	Instruments of international traffic: Whether specified containers qualify as instruments of international traffic

Date of decision	File No.	Issue
11-30-79	104330	Instruments of international traffic: Whether woven polypropylene bags used to transport dry chemicals qualify as instruments of international traffic
12-12-79	104358	Vessel repair: Dutiability under vessel repair statute of replacement of main engines and certain auxiliary equipment on U.S.-registered vessels in a foreign shipyard
12-12-79	711341	Country of origin marking: Quick coupon cutters
12-12-79	711504	Country of origin marking: Clock-radio combination
11-23-79	055755	Generalized system of preferences: Whether sintered rough molds produced in Mexico from imported carbide powders and used in producing finished carbide products are constituent materials for purposes of the 35 percent value-added requirement
11-23-79	055766	Generalized system of preferences: Whether metal corners and parts for picture frames are eligible for free entry if produced in Mexico from imported materials and combined into packages of a predetermined number of pieces
11-23-79	055769	Generalized system of preferences: Whether the molding of imported plastic pellets into bases and covers for cassettes results in substantially transformed constituents materials for purposes of the 35 percent value-added requirement
11-10-79	060692	Classification: Whether a textile loop attached to shorts is ornamental (380.04)
12- 4-79	060710	Classification: Digestive aid for dogs (184.75, 432.00)
12-11-79	060953	Classification: Plastic container bags (772.20)
12- 4-79	060983	Classification: Whether skirt with ties anchored in side seams is ornamented (382.33)
12-10-79	061518	American selling price: Open-toe, ankletrap, women's casual shoe with fabric upper and low wedge (700.60)
12-11-79	061528	American selling price: Unfinished Y-thong (700.60)
12-10-79	061783	Classification: Wooden curio cabinets (206.98, 727.35)
12- 4-79	062437	Classification: Bags of polyethylene and polypropylene fabrics coated on both sides with plastic (385.53, 772.20)
12-10-79	062631	Classification: Plastic skip rope (735.20)
12- 7-79	062688	Classification: Hose protector (774.60)
12-10-79	062700	Classification: Plastic sun visor (657.25, 774.60)
12-11-79	062817	Classification: Gas cookers (653.52)
12-10-79	062921	Classification: Plastic sun visor (703.72, 772.30)
12-11-79	062951	Classification: Boot roller skate (734.90)
12- 6-79	064031	Classification: Woman's robe of polyester fleece (382.78)
11- 3-79	064054	Classification: Rigid foamed acrylic plastic sheet (770.30)

Decisions of the United States Customs Court

United States Customs Court

One Federal Plaza
New York, N.Y. 10007

Chief Judge

Edward D. Re

Judges

Paul P. Rao
Morgan Ford
Scovel Richardson
Fredrick Landis

James L. Watson
Herbert N. Maletz
Bernard Newman
Nils A. Boe

Senior Judge

Samuel M. Rosenstein

Clerk

Joseph E. Lombardi

Abstracts

Abstracted Protest Decision

DEPARTMENT OF THE TREASURY, January 2, 1980.

The following abstracts of decisions of the United States Customs Court at New York are published for the information and guidance of officers of the customs and others concerned. Although the decisions are not of sufficient general interest to print in full, the summary herein will be of assistance to customs officials in easily locating cases and tracing important facts.

ROBERT E. CHASEN,
Commissioner of Customs.

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	ASSESSED		HELD		BASIS	PORT OF ENTRY AND MERCHANDISE
				Per. of Item No. and Rate	Item	Per. of Item No. and Rate	Item		
P79/226	Maletz, J. December 23, 1979	North American Foreign Trading Corp.	78-4-00019, etc.	Item 735.20 10%	Item 734.20 5.5%			A.P.F. Electronics Inc. v. U.S. (C.D. 4784)	Los Angeles T.V. game machines

Decisions of the United States Customs Court

Abstracts

Abstracted Reappraisement Decisions

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	BASIS OF VALUATION	HELD VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
R79/266	Re, C. J. December 28, 1979	Bus and Truck Supply Co.	73-2-00570, etc.	Export value	Appraised values, less 10% (excluding from 10% deduction the value of any Michelin tires included in ap- praised values), less value of components of U.S. origin allowed on liquidation	Agreed statement of facts	New Orleans Inter-city passenger buses

Judgment of the U.S. Customs Court in Appealed Case

DECEMBER 26, 1979

Appeal 79-7.—United States *v.* H. Rosenthal Co.—MEN'S AND BOYS'
QUILTED SNORKEL PARKAS—WEARING APPAREL—GARMENTS
DESIGNED FOR RAINWEAR OF COATED FABRICS—TSUS.—C.D.
4769 affirmed November 15, 1979 (C.A.D. 1236).

International Trade Commission Notices

Investigations by the U.S. International Trade Commission

DEPARTMENT OF THE TREASURY

The appended notices relating to investigations by the U.S. International Trade Commission are published for the information of Customs officers and others concerned.

R. E. CHASEN,
Commissioner of Customs.

(AA1921-214)

SPUN ACRYLIC YARN FROM ITALY

Notice of Investigation and Hearing

Having received advice from the Department of the Treasury on December 17, 1979, that spun acrylic yarn from Italy is being, or is likely to be, sold at less than fair value, the U.S. International Trade Commission, on December 27, 1979, instituted investigation No. AA1921-214 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160 (a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. For purposes of the Treasury Department's determination, "spun acrylic yarn" means spun yarn of acrylic classified under item 310.50 of the Tariff Schedules of the United States.

This investigation will be conducted in conjunction with investigation No. AA1921-212, "Spun Acrylic Yarn from Japan," which was instituted on November 21, 1979 (44 F.R. 68040, November 28, 1979).

Conduct of the investigation under the Trade Agreements Act of 1979.—Under the Antidumping Act, 1921, the Commission is required to notify the Treasury Department of its determination in this investiga-

tion not later than March 17, 1980. However, under section 102 of the Trade Agreements Act of 1979 (Public Law 96-39, 93 Stat. 144, July 26, 1979), the Commission would be required to terminate this investigation on January 1, 1980, and initiate an investigation under subtitle B of title VII of the Tariff Act of 1930, as added by the Trade Agreements Act of 1979, if the conditions set forth in sections 2 and 107 of the Trade Agreements Act are fulfilled by January 1, 1980. In the event that the Trade Agreements Act becomes effective on January 1, 1980, this present investigation will be terminated and a new investigation will be instituted which will be conducted under the provisions of sections 101 and 102 of the Trade Agreements Act. That act requires this new investigation to be completed within 75 days after January 1, 1980. On the assumption that the new law will become effective, the procedures described below will be followed in the present investigation.

After January 1, 1980, however, the rules adopted by the Commission on December 19, 1979, to govern 75 days investigations will be applicable, except where they require a date for submission of prehearing statements different from the date set out in this notice. The rules will become part 207, subpart C of the Commissions Rules of Practice and Procedure and appear in the Federal Register of December 26, 1979.

Hearing.—A public hearing in connection with this investigation, and investigation No. AA1921-212, "Spun Acrylic Yarn from Japan," will be held on Tuesday, January 22, 1980, in the Commission's hearing room, U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. 20436, beginning at 10 a.m., e.s.t. Requests to appear at the public hearing should be filed in writing with the Secretary to the Commission not later than close of business (5:15 p.m., e.s.t.), Tuesday, January 15, 1980. (If it appears that the dumping provisions of the Trade Agreements Act will not be effective on January 1, 1980, a notice rescheduling the hearing (and related prehearing report and statements) for an earlier date will be issued.)

Prehearing statements.—The Commission will prepare and place on the record by January 8, 1980, a staff report containing preliminary findings of fact. Parties to the investigation will submit to the Commission a prehearing statement by January 18, 1980. Such statement should include the following:

- (a) Exceptions, if any, to the preliminary findings of fact contained in the staff report;
- (b) Any additional or proposed alternative findings of fact;
- (c) Proposed conclusions of law; and
- (d) Any other information and arguments which a party believes relevant to the Commission's determination in this investigation.

Collection and confidentiality of information.—Requests for confidential treatment of information submitted to the Commission should be directed to the attention of the Secretary. Requests must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6).

Information submitted to or gathered by the Commission in conjunction with this proceeding under section 201(a) of the Anti-dumping Act will be placed in the record of the proceeding instituted under title VII of the Tariff Act of 1930, as added by the Trade Agreements Act, if and when that law becomes effective. That information will be subject to the new antidumping provisions regarding access to information set forth in title VII. Those provisions relate to the collection and retention of information by the Commission and the maintenance of confidentiality or the disclosure of information. The provisions of section 777 of title VII will require the following:

(a) A record of all ex parte meetings between interested parties or persons providing factual information in connection with an investigation and the Commissioners, their staffs, or any person charged with making a final recommendation in an investigation;

(b) Disclosure of nonconfidential information or nonconfidential summaries of confidential information which is not in a form that can be associated with or used to identify the operations of a particular person;

(c) Preventing disclosure of confidential information unless the party submitting the information consents to the disclosure; and

(d) Limited disclosure of certain confidential information under protective order or by an order of the U.S. Customs Court.

Section 516A of the Tariff Act of 1930, as amended by the Trade Agreements Act, will require that all information in the record before the Commission in the title VII investigation, whether confidential or nonconfidential in nature, become part of the record before the U.S. Customs Court in any action under section 516A regarding a Commission determination. Section 771 provides definitions applicable to title VII.

The Commission is prescribing these procedures pursuant to section 335 of the Tariff Act of 1930, as amended (19 U.S.C. 1335), which authorizes the Commission to adopt such reasonable procedures as are necessary to carry out its functions and duties.

By order of the Commission.

Issued: December 28, 1979.

KENNETH R. MASON,
Secretary.

COLOR TELEVISION RECEIVERS AND SUBASSEMBLIES THEREOF

Investigation and Hearing

Investigation instituted.—Following receipt of a petition on December 17, 1979, filed by the Industrial Union Department, AFL-CIO, et al., the U.S. International Trade Commission on December 31, 1979, instituted an investigation under section 203(i)(3) of the Trade Act of 1974 (19 U.S.C. 2253(i)(3)) for the purpose of gathering information in order that it might advise the President of its judgment as to the probable economic effect on the domestic industry concerned of the determination of import relief presently in effect with respect to the color television receivers, assembled or not assembled, finished or not finished, and subassemblies thereof, from Japan, Taiwan, and Korea, provided for in items 685.11, 685.14, and 685.15 (all of which were formerly provided for in item 685.20), of the Tariff Schedules of the United States (TSUS). The relief is provided against imports from Japan in Proclamation 4511 (issued June 27, 1977, 42 F.R. 32747 (1977) and the relief against imports from Taiwan and Korea in items 923.74 through 923.83, inclusive, of the TSUS (Proclamation 4634, 44 F.R. 5633 (1979)). Import relief presently in effect with respect to such articles is scheduled to terminate at the close of June 30, 1980, unless extended by the President.

Public hearing ordered.—A public hearing in connection with this investigation will be held in Washington, D.C., at 10 a.m., e.s.t., on Wednesday, March 5, 1980, in the hearing room, U.S. International Trade Commission Building, 701 E Street NW. Requests for appearances at the hearing should be received in writing by the Secretary to the Commission at his office in Washington no later than noon on February 29, 1980.

Inspection of petition.—The petition filed in this case is available for public inspection at the Office of the Secretary, U.S. International Trade Commission, and at the New York City office of the U.S. International Trade Commission located at 6 World Trade Center.

By order of the Commission.

Issued: January 3, 1980.

KENNETH R. MASON,
Secretary.

In the Matter of
CERTAIN FOOD SLICERS AND
COMPONENTS THEREOF

} Investigation No. 337-TA-76

Order

Pursuant to my authority as Chief Administrative Law Judge of this Commission, I hereby designate Administrative Law Judge Janet D. Saxon as presiding officer in this investigation.

The Secretary shall serve a copy of this order upon all parties of record and shall publish it in the Federal Register.

Issued: December 31, 1979.

DONALD K. DUVAL,
Chief Administrative Law Judge.

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U.S. Customs Service

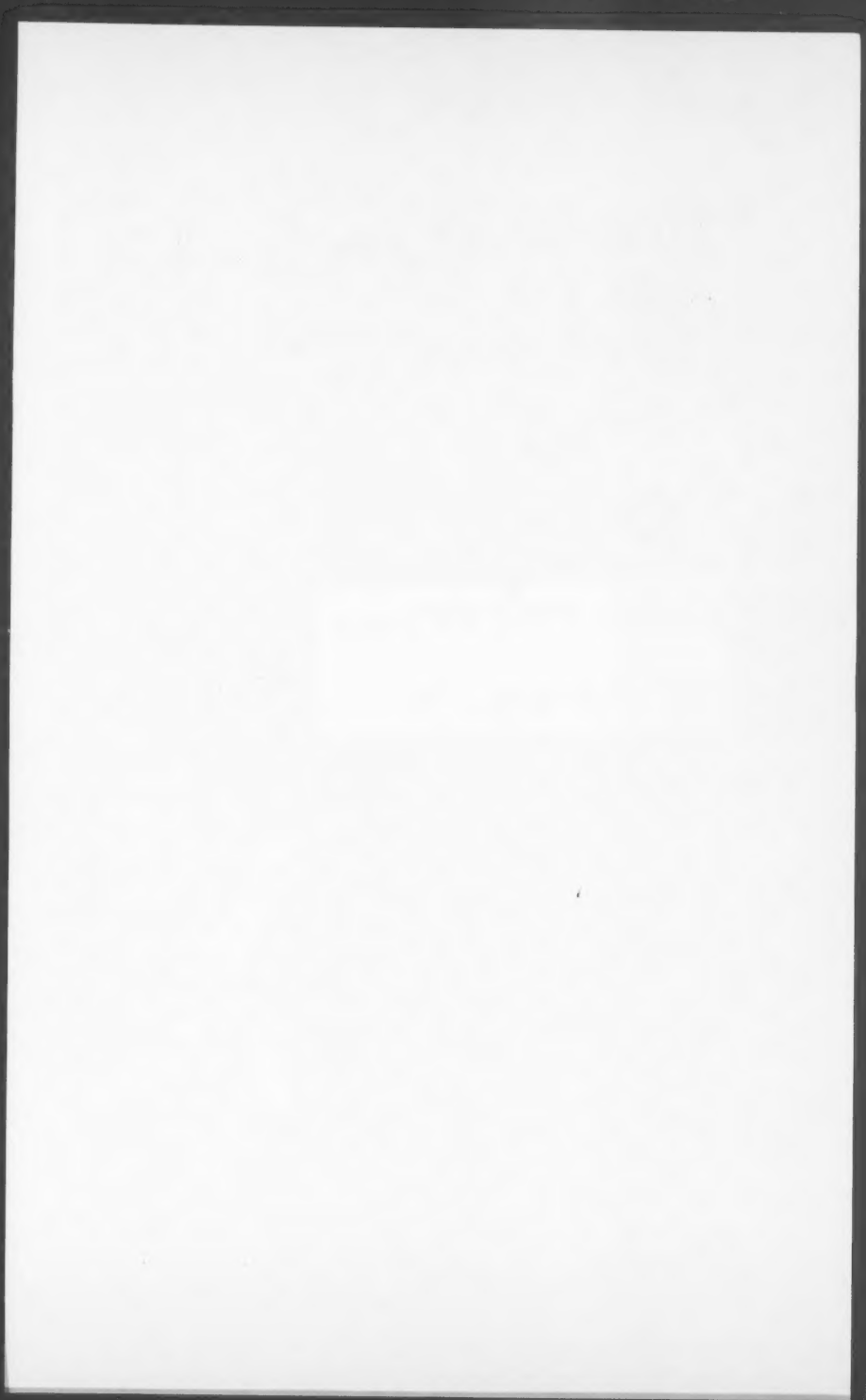
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WASHINGTON, D.C. 20229

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